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DEPARTMENT OF LABOR

Office of Disability Employment Policy

[SGA 03-07]

Working for Freedom, Opportunity and Real Choice Through Community Employment (WorkFORCE) Action Grant Initiative

AGENCY: Office of Disability Employment Policy, Department of Labor.

ACTION: Notice of availability of funds; solicitation for grant applications (SGA).

This notice contains all of the necessary information and forms needed to apply for grant funding. (SGA 03-07)

SUMMARY: The U.S. Department of Labor (DOL), Office of Disability Employment Policy (ODEP) announces the availability of \$2.5 million to award up to 6 competitive Working for Freedom, Opportunity and Real Choice through Community Employment (WorkFORCE) Action Grant Initiative grants ranging from approximately \$400,000 to \$625,000 to continue its support for increasing and improving employment opportunities that allow individuals with disabilities to: (1) Move from nursing homes or other institutions and residential facilities into the community; (2) continue living in the community; (3) achieve economic self-sufficiency; and (4) attain full access to, and participation in their communities. These demonstration grants will begin or expand the delivery and implementation of customized community employment opportunities for individuals with disabilities so that they may live, work, and fully participate in their communities.

The purpose of these grants, therefore, is to develop and document the capability of individuals transitioning from segregated environments (such as nursing homes, institutions, and segregated day environments) to: (1) Successfully participate in community employment through utilization of customized strategies; (2) increase their earnings and economic power through participation in such employment; and (3) live, work and fully participate in their communities. The WorkFORCE Action Grants will be funded for a one-year period and may be renewed for a period of up to four additional years at varying funding levels (*see* Section IV) depending upon the availability of funds and the efficacy of the project activities.

The applicants scoring the highest when evaluated pursuant to the criteria set forth in Part VII, in conjunction with considerations by the Grant Officer delineated in Part IX of this Solicitation for Grant Application will be awarded WorkFORCE Action Grants.

Eligibility: Non-profit organizations, including faith-based and community organizations, working in coordination with the One-Stop delivery system, as provided under the Workforce Investment Act (WIA) (Pub. L. 105-220, 29 U.S.C. 2801 *et seq.*), are eligible applicants for WorkFORCE Action Grants.

DATES: Applications will be accepted on May 29, 2003. The closing date for receipt of applications under this announcement is July 14, 2003.

Applications must be received by 4:45 p.m. (ET) at the address below. No exceptions to the mailing and hand-delivery conditions set forth in this notice will be granted. Applications that do not meet the conditions set forth in this notice will be considered non-responsive.

ADDRESSES: Applications shall be mailed to: U.S. Department of Labor, Procurement Services Center, Attention: Cassandra Willis, Reference SGA 03-07, Room N-5416, 200 Constitution Avenue, NW., Washington, DC 20210. Telefacsimile (Fax) applications will not be accepted. Applicants are advised that mail in the Washington area may be delayed due to mail decontamination procedures.

FOR FURTHER INFORMATION CONTACT: Cassandra Willis, U.S. Department of Labor, Procurement Services Center, telephone (202) 693-4570 (this is not a toll-free number), prior to the closing deadline. Persons who are deaf or hard of hearing may contact DOL via the Federal Relay Service, (800) 877-8339. This announcement will also be published on the Internet on the ODEP's online Home Page at: <http://www2.dol.gov/odep>. Award notifications will also be published on the ODEP homepage.

SUPPLEMENTARY INFORMATION:

Part I. Delivery of Applications

1. Late Applications

Any application received after the exact date and time specified for receipt at the office designated in this notice will be considered non-responsive, unless it is received before awards are made and it (a) is determined that its late receipt was caused by DOL error; (b) was sent by U.S. Postal Service registered or certified mail not later than the fifth calendar day before the date

specified for receipt of applications (e.g., an application submitted in response to a solicitation requiring receipt of applications by the 20th of the month must have been post marked by the 15th of that month); or (c) was sent by the U.S. Postal Service Express Mail Next Day Service to addressee not later than 5 p.m. at the place of mailing two working days prior to the date specified for receipt of applications. The term "working days" excludes weekends and Federal holidays. "Post marked" means a printed, stamped or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable, without further action, as having been supplied or affixed on the date of mailing by an employee of the U.S. Postal Service.

2. Withdrawal of Applications

Applications may be withdrawn by written notice or telegram (including mail gram) received at any time before an award is made. Applications may be withdrawn in person by the applicant or by an authorized representative thereof, if the representative's identity is made known and the representative signs a receipt of the proposal.

3. Hand-Delivered Proposals

It is preferred that applications be mailed at least five days prior to the closing date. To be considered for funding, hand-delivered applications must be received by 4:45 p.m., ET, at the specified address. Failure to adhere to the above instructions will be basis for a determination of non-responsiveness. Overnight express mail from carriers other than the U.S. Postal Service will be considered hand-delivered applications and must be received by the above specified date and time.

Part II. Authority

Omnibus Appropriations Resolution, 2003, Public Law 108-7; Consolidated Appropriations Act, 2001, Public Law 106-554, 29 U.S.C. 557b.

Part III. Background

In *Olmstead v. L.C.*, 527 U.S. 581, 119 S.Ct. 2176 (1999) (the "*Olmstead* decision"), the Supreme Court construed Title II of the Americans with Disabilities Act (ADA) to require states to place qualified individuals with mental disabilities in community settings, rather than in institutions, whenever treatment professionals determine that such placement is appropriate, the affected persons do not oppose such placement, and the state can reasonably accommodate the placement, taking into account the resources available to the state and the